

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

NEW YORK IMMIGRATION
COALITION, et al.,

Consolidated Plaintiffs

v.

UNITED STATES DEPARTMENT OF
COMMERCE, et al.,

Defendants.

Civil Action No. 1:18-cv-02921-JMF

SUPPLEMENTAL DECLARATION OF STEVEN K. CHOI

I, Steven K. Choi, pursuant to the provisions of 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

1. As explained in my October 26, 2018 Declaration, I am the Executive Director of the New York Immigration Coalition (“NYIC”). In that capacity, I am responsible in part for NYIC’s education and outreach efforts around the 2020 Decennial Census. I am also one of the NYIC executives responsible for the organization’s budgeting, fundraising, and policy priorities. I have been Executive Director of NYIC for over five years.

2. All of the statements made in my October 26 Declaration and in this Declaration are made based on my personal knowledge, acquired after more than five years as Executive Director of NYIC. During that time period, I have familiarized myself with NYIC’s internal records and processes; our staff and their responsibilities; our programs and program areas; our

member organizations including their missions, the communities they serve, and their participation in activities with NYIC.

3. As Executive Director of NYIC, I have spent significant time traveling around New York State and meeting with both our member organizations and the immigrant communities that we serve. Through this process, I have familiarized myself with prevailing views in the community concerning a number of issues, including the Trump Administration's treatment of immigrant communities and immigration-related policies, and fears in immigrant community about the policies of this Administration. As part of this process, I have gained personal knowledge about the prevailing feeling of fear among immigrant communities in New York State concerning the Trump Administration and, specifically, the decision to add a citizenship question to the 2020 Decennial Census and potential use of the information gleaned from this question. I have also been working with immigrant communities in New York in one form or another since 1999 and have developed a thorough understanding of prevailing views in the communities I've worked with.

4. My statements concerning the fears of members of New York's immigrant community concerning the citizenship question and its effect on their willingness to answer the Decennial Census therefore reflect my knowledge as both the leader of NYIC and a leader in New York's immigrant community, rather than a restatement of any particular individual's views. Similarly, in expressing my views about the likely effect of the citizenship question on New York's immigrant community, I do not intend to offer any specific predictions about non-response rate or percentage undercount, but merely my observations based on my knowledge as a community leader and my work as NYIC Executive Director.

5. I have also been extensively and personally involved in the research, development, and implementation of NYIC's Census education and outreach programs, including the organization's work in the New York Counts 2020 coalition. Through that work as well as my work in previous Census cycles, I have gained familiarity with the importance of data gathered from the Decennial Census in apportioning political representation and the allocation of some government funding sources. Because NYIC is driven to address the concerns of its members and the communities they serve in the work that we do, I have also familiarized myself with how those organizations and communities will be impacted by an undercount. Issues related to the Census have been an important part of my work with immigrant communities for three Decennial Census cycles now.

6. My observations in Paragraph 6 of the October 26 Declaration about the Census-guided funding programs in which NYIC member organizations participate is based on my work in the research, development, and implementation of NYIC's Census education and outreach programs, including the organization's work in the New York Counts 2020 coalition, as well as my regular and direct involvement with our member organizations, and in particular our Board of Directors and Immigrant Leaders Council.

7. Regarding statements made in Paragraph 7 of my October 26 Declaration, my knowledge that data from the Decennial Census provides the basis for apportioning political representation at the federal, state, and local levels is based on my work in the research, development, and implementation of NYIC's Census education and outreach programs, including the organization's work in the New York Counts 2020 coalition, which are high priority programs for NYIC. In addition, my knowledge that an undercount for immigrant communities of color under the Decennial Census would unduly harm our members' level of

political representation at all levels of government is also based on my participation in and management of NYIC's Census-related work, my past Census work, as well as my familiarity with our member organizations and the communities we serve.

8. Regarding statements made in Paragraph 9 of my October 26 Declaration, I am familiar with NYIC's activities during the 2010 Decennial Census cycle through my work in the process of researching, developing, and implementing NYIC's education and outreach for the 2020 Decennial Census cycle and also my work on the 2010 Decennial Census cycle for one of NYIC's member organizations, MinKwon Center for Community Action.

9. Regarding statements made in paragraph 14 of my October 26 Declaration, my observation that New York immigrant communities' heightened fear of interacting with government workers has increased even further due to the decision to add the citizenship question is based on knowledge that I have gained in the course of developing, implementing, and supervising NYIC's Census education and outreach work with its members and the communities they serve, including NYIC's work with the New York Counts 2020 coalition, as well as my extensive contact with immigrant communities throughout New York as Executive Director of NYIC and as a leader in New York's immigrant community. This body of knowledge, as well as my engagement with immigration policy as Executive Director of NYIC, also supports my statements about the intrusiveness of the citizenship question into immigrant communities and the hostility of the Trump Administration towards those communities.

10. Regarding statements made in paragraph 15 of my October 26 Declaration, my observation that NYIC has faced, and will continue to face, a more difficult Census-response environment due to New York immigrant communities' heightened fear of interacting with government workers because of the addition of the citizenship question is based on based on my

research of NYIC's past Census efforts for developing and implementing NYIC's 2020 Census activities, my work with MinKwon during the 2010 Decennial Census cycle, my experience in developing NYIC's Census work before the decision to add a citizenship question, as well as my participation and supervision in NYIC's extensive Census work since the citizenship question was announced. Census education and outreach programs for immigrant communities for the 2020 Decennial Census have been on NYIC's policy agenda since at least the middle of 2017.

11. Regarding statements made in paragraph 22 of my October 26 Declaration, my statements about information I have received from NYIC staff, including Vice-President of Policy Betsy Plum, regarding the concerns of NYIC member organizations and the communities we serve illustrate part of the basis for my decisions as Executive Director in authorizing NYIC's increased investment in Census education and outreach work. These decisions were also informed by my own work and observations in working with NYIC staff and member organizations—in particular, our Board of Directors and Immigrant Leaders Council— in researching, developing, and implementing our education and outreach programs for the 2020 Decennial Census cycle, as well as my interactions with immigrant communities in my role as a community leader. This body of knowledge also informs my understanding that immigrant communities are color are reluctant to participate in the Census and are concerned about the intrusion into their privacy that may result from the publication of data derived from the citizenship question.

12. Regarding statements made in paragraph 23 of my October 26 Declaration, my statements that about the effect of any undercount of immigrant communities is based on my participation and supervision of the research, development, and implementation of NYIC's Census education and outreach programs, through which I have gained an understanding of the

role of Census data in the apportionment of political representation and the allocation of government funding. Again, in expressing my views about the likely effect of the citizenship question on New York's immigrant community, I do not intend to offer any specific predictions about non-response rate or percentage undercount, but only my observations based on my knowledge as a community leader and my work as NYIC Executive Director, and my participation and supervision of our extensive education and outreach efforts for the 2020 Decennial Census.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: November 2, 2018

New York, NY

A handwritten signature in black ink, appearing to read 'SK Choi', written over a horizontal line.

Steven K. Choi